

United States District Court For The District OF Delaware

Ronald G. Johnson #182421

V. P.O. Box 9561
Wilmington, Delaware 19809 Civil Action No. _____

United States OF America } Related Cases
Criminal Action No. CR05-29

United States Probation Office }
Both OF Wilmington Delaware } Criminal Action No. 6:01 CR10019-001

Counter Claim

Pursuant To 28 USC 2241 (C)(3)



Comes Now, The Petitioner Ronald G. Johnson
and File this Counter Claim pursuant to 28 USC 2241
(C)(3) Writ OF Habeas Corpus. In Support thereof Petitioner
asserts the following.

" Jurisdiction "

The District Court has Jurisdiction to issue Writ OF
Habeas Corpus pursuant to Title 28 USC 2241 (C)(3) before
Conviction and Sentence in any Court. Or after, Conviction et.

" Lack OF Jurisdiction To Prosecute "

The United States OF America and The United States Probation
Office Lack jurisdiction To Prosecute. Because The District Court
OF Lynchburg Virginia Lacked Jurisdiction To Prosecute, Convict
and Sentence.

Statement OF The Facts

The Defendant now Petitioner was Charged in Lynchburg
Virginia For 20 Count OF Title 18 USC 287 Filing false Taxes
or Claims To "Philadelphia Pennsylvania Internal Revenue Service."

The Lynchburg Virginia District Court do not have Jurisdiction or Venue or Authority to prosecute me for a Offense that have happen in another State and District.

"Constitutional Violation"

"The Six Amendment unequivally Mandates trial in the State and District wherein the Crime shall have been Committed", And Proof of venue is therefore an essential Part of the government's Case "Without which there can be no Conviction

See: United States v. Jones 174 F.2d 746

See: Travis v. United States 5 L.Ed.2d. 970 - 990

The Charges OF The Grand Jury

The Charges of The Grand Jury is 20 Count of Title 18 U.S.C 287, I "was not" charge by a grand jury for Title 18 USC 2 Aid and Abet.

"What Petitioner Is Convicted OF"

"I am convicted of "Preparing or Aiding and Abetting the Preparation of Fraudulent Tax Forms", See Nature of Offense

Petitioner is not Convict of Title 18 USC 287 or Title 18 USC 2

Statement OF The Facts

"Petitioner" has not been Found guilty of Title 18 USC 287 Filing False Claims" Or Aiding and Abetting The Filing of False Claim in violation of Title 18 USC 2

See: Marcus v. Hess 87 L.Ed.2d 443

See: Motley v. United States 940 F.2d 1079

" Statement OF The Facts "

The Government did not prove I Filed False Claims in Violation of Title 18 USC 287. And Proper Venue and Jurisdiction For the Filing of False Claim in Violation of Title 18 USC 287 against or To Philadelphia Pennsylvania I.R.S. would be held only in Philadelphia Pennsylvania U.S. District Court.

So I have not been found guilty of Filing false Claims or Taxes in Violation of Title 18 USC 287

Also the Lynchburg Virginia Lacked Jurisdiction and Venue to prosecute

See: Travis v. United States 561 Ed 2d 970-990

" Statement OF The Facts "

The Government did not prove I aided and abetted the Filing of False Claims or False Tax Forms in Violation of Title 18 USC 2 Supreme Court Mandated that the nature of the offense in Title 18 USC 2 is "Cause to Present" The Government has never Prove I Cause someone to present False Claims.

See: Marcus v. Hess 87 L. Ed 2d 443

See: Motley v. United States 940 F.2d 1079

Petitioner Never Knew what Title He Was Charge With Violating

The District Court Judge of Lynchburg Virginia Told me and the Pety jury that preparing False Tax Form or "Prepare or Aiding and Abetting the Preparation of Fraudulent Tax Returns" was a Charge.

Statement OF The Fact

That's not a offense under Title 18 USC 287 or Title 18 USC 2

Concluding Certified Questions

IF I Committed a OFFENSE Then tell me what ?

a) Referring to Title 18 USC 287 Filing False Claims. IF Filing is the crime and Place of crime is place of trial, Then my trial should have been in Philadelphia Pennsylvania where the Claim and Tax Forms was Filed..

Therefore Lynchburg District Court of Virginia Lack Venue and Jurisdiction and authority over the offense.
See: United State v. Jones 174 F.2d 746

b) IF I Aided and Abetted Someone in a crime then who committed a offense in Count 1, Count 2 or Counts 3-20? The Government never prove anyone committed a offense, which is required by law, rules of evidence etc.

See: Motley v. United States 940 F.2d 1079

See: Marcus v. Hess 87 L.Ed2d 443

" Jurisdiction OF This Court And Exhaustion OF All Remedies "

Pursuant To 28 USC 2241 (C)(3) This Court has jurisdiction to hear issues that has been Exhausted under or by the Court of Conviction and Sentence. I have exhaust all remedies in the Sentencing and Convicting Court. Including Motion To Vacate, Set Aside and illegal sentence and Conviction Pursuant to 28 USC 2255.

Therefore Petitioner is now entitle to bring all exhaust claims to this Court,

See: U.S. ex rel. B. v. Shelly 430 F.2d 215

See: U.S v. Condit 621 F.2d 1096

Conclusion

This Criminal Case begin in this Court. I was arrest in Wilmington Delaware for the charges OF Title 18 USC 287 Filing False Tax Form Upon and against of to Philadelphia Pennsylvania's I.R.S. I fought the transfer to Virginia for Lack of Jurisdiction and Authority to Indict me in Virginia for a offense against Philadelphia A. I.R.S.

This Honorable Court O.K. the transfer Claiming that they the judges of Lynchburg Virginia would here and release me for Lack of Venue and Jurisdiction. But when I got there the judge refuse my Motion. Denied all my Motion and over rule all the Supreme Court of United States of America And Numerous Circuit Court now presented here again.

This Court had the Authority then to Stop my transfer to Virginia for lack of Jurisdiction and Authority. Now I have exhaust all remedies in the Virginia District Courts and Court of Appeals for the Fourth Circuit. Now I Pray this Court to Grant my Petition for Writ of Habeas Corpus Pursuant to Title 28 USC 2241(C)(3)

" Accual Innocents And Factual Innocents "

I did not File any False Tax Forms. The judge saw he Could not find me guilty of Filing False Claims so he Change the Nature of the OFFense accused. Plus he knew proper Venue and Jurisdiction for Title 18 USC 287 Filing False Claim would be only in Philadelphia Pennsylvania where they was Filed.

I did not Aid and Abet anyone in the Filing of False Claims The Government Could not prove anyone Filed a False Claim for me to aid and abet so he Change the nature of the Charge. From Title 18 USC 2 Aiding and Abetting the Filing of False Claims to Preparing False Tax Forms which is not a Crime of itself or under any Title.

Relief Sought

Therefore Petitioner Move the Court and Prays For Writ of Habeas Corpus to remove the Unconstitutional Custody of Probation of the United States Probation Office and Custody of United States of America "Certificate of Service" And ~~and~~ "Oath and Affidavit" I Declare the U.S. Probation Office and United States was Served And that all is true under perjury Declared on May 10, 2006 Signed and Declare Ronald Dahn

In The United States District Court
For The District Of Delaware

Ronald G. Johnson)

v. Petitioner)

United States Probation Office,)

United States Of America et.al.,)

Criminal Action No. CR05-29

" Filing Of Counter Claim

Pursuant To Title 28 USC 2241(C)(3) "

Comes Now, The Petitioner Ronald G. Johnson and File this Counter Claim pursuant to Title 28 USC 2241(C)(3), Or Consiter it a regular Petition For Writ Of Habeas Corpus.

" Certificate Of Service "

The following 6 page Petition For Writ Of Habeas Corpus has been Serve on "all parties"

a.) One Copy was Serve on United States Of America Attorney General's Office Address 1007 Orange Street, Suit 700 Wilmington Delaware 19899

b.) One Copy was Serve on United States Attorney General assistant Shannon Thee Hanson Address 1007 Orange Street, Suit 700 Wilmington Delaware 19899

c.) and d.) One Copy was Served on the United States Probation Office And Craig H. Carpenter

e.) Original and 4 Copies was Serve on this Court

I Declare I Serve all under perjury Declared May 12, 2005 Ronald Johnson